

**FAX RECEIVED****MAY 23 2002****GROUP 1600****FAX****GlaxoSmithKline****To** Attn: Examiner Michael D. Pak**Company Group:** 1646**Fax** 703-872-9306**From** Marjorie J. Pfeiffer for Michael M. Conger**Tel** 1-919-483-9038; Facsimile: 1-919-483-7988**E-mail** [mjp14849@gsk.com](mailto:mjp14849@gsk.com)**Date** 22 May 2002**Pages including cover** 5**Subject** Response to Office Action mailed April 8, 2002 for

Serial No. 09/276,935

**Re:** Response to Office Action  
Application of KLIEWER et al.  
U.S. Serial No.: 09/276,935; Filed: March 26, 1999  
Title: *An Orphan Nuclear Receptor*  
Attorney Docket No. PU3474US2

Attached is a Response to Office Action that was mailed to the USPTO on the date of the Certificate of Mailing under 37 CFR 1.8, May 2, 2002. The Response was returned to us by the U.S. Post Office as undeliverable mail due to the anthrax-related decontamination process.

Please enter the Response as timely filed and confirm receipt of the above.

Sincerely,

Marjorie J. Pfeiffer  
Administrative Assistant  
Corporate Intellectual Property

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.

## FAX RECEIVED

MAY 23 2002

GROUP 1600

DOCKET No. P163474US2 Date Mailed 5/2/02 Atty/Secy mnc/mjp  
MAILING: CERTIFICATE/EXPRESS MAIL # \_\_\_\_\_  
U.S. Serial No.: 09/276, 935 Filing Date: 3/26/1999  
Int'l App. No.: \_\_\_\_\_ Int'l Filing Date: \_\_\_\_\_

## RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- |   |  |
|---|--|
| <input type="checkbox"/> Appln Transmit +1 copy for: <input type="checkbox"/> Provisional <input type="checkbox"/> CIP  | <input type="checkbox"/> Copy of Notice to Comply                        |
| <input type="checkbox"/> Utility <input type="checkbox"/> CONTIN <input type="checkbox"/> DIV <input type="checkbox"/> RCE <input type="checkbox"/> TRADEMARK | <input type="checkbox"/> Statement to Support Filing                     |
| <input type="checkbox"/> Specification _____ pgs <input type="checkbox"/> Abstract _____ pgs  | <input type="checkbox"/> Diskette <input type="checkbox"/> Sequence List |
| <input type="checkbox"/> Decs _____ pgs <input type="checkbox"/> Powers of Atty _____ pgs   | <input type="checkbox"/> Appeal Brief _____ pgs                          |
| <input type="checkbox"/> Drawings _____ Sheet(s)/Figs _____ to _____  | <input type="checkbox"/> Petition _____ pgs                              |
| <input type="checkbox"/> Assignment _____ pgs & Recordation Cover Sheet   | <input type="checkbox"/> Status Request                                  |
| <input type="checkbox"/> Transmit Ltr Nat'l Stage Entry +fee pg (3pgs)  | <input type="checkbox"/> 2nd Transmit for Nat'l Stage                    |
| <input type="checkbox"/> Information Disclosure Statement   | <input type="checkbox"/> Resp. to Written Opinion                        |
| <input type="checkbox"/> Form PTO-1449 _____ pgs. <input type="checkbox"/> References   | <input type="checkbox"/> Priority Doc # _____                            |
| <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Response <u>1</u> pgs  | <input type="checkbox"/> Notice of Appeal +fee                           |
| <input type="checkbox"/> Petition for _____ month Extension of Time +1 copy   | <input type="checkbox"/> Resp to Restrict Req _____ pgs                  |
| <input type="checkbox"/> Issue Fee Trans. (Part B) + 1 copy   | <input type="checkbox"/> Req to Correct Filing Recpt                     |
| <input type="checkbox"/> Copy of Notice to File Missing Parts   | <input type="checkbox"/> Copy of Filing Receipt                          |
| <input type="checkbox"/> Request for Nonpublication (1 pg)  | <input type="checkbox"/> Req for Cert of Correct _____ pgs               |
| <input type="checkbox"/> Authorization to Charge Dep. Acct. # 07-1392   |  |
| <input type="checkbox"/> _____  |  |
| <input type="checkbox"/> _____  |  |
| <input type="checkbox"/> _____  |  |

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031


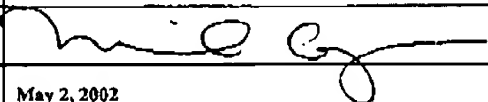
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application	09/276,935
	Filing Date	March 26, 1999
	First Named	Steven A. KLIEWER
	Group Art Unit	1646
	Examiner Name	Pak, M.
Total Number of Pages In This Submission	Attorney Docket Number	PU3474US2

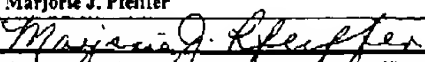
ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael M. Conger Registration No. 43, 562	 23347 PATENT TRADEMARK OFFICE
Signature		
Date	May 2, 2002	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: May 2, 2002

Typed or printed name	Marjorie J. Pfeiffer		
Signature		Date	May 2, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KLIEWER et al.

Serial No.: 09/276,935

Group Art Unit: 1646

Filed: March 26, 1999

Examiner: Pak, M.


For: *An Orphan Nuclear Receptor*Commissioner for Patents  
Washington, D.C. 20231RESPONSE TO OFFICE ACTION

This communication is responsive to the Office Action mailed April 8, 2002 in the above referenced patent application. The Office Action states that the Applicants' amendment and response Paper 18 filed 29 January 2002, fails to comply with the requirements of 37 CFR 1.121 regarding amendments to the application.

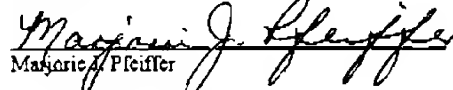
Applicants thank the Examiner for the telephone interview of 1 May, 2002 and for the Examiner's prompt attention to this matter. In the telephone interview the Examiner indicated that upon reexamination the response appears to be in compliance with requirements of 37 CFR 1.121.

If the Examiner has further questions or concerns, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Michael M. Conger  
Attorney of Record  
Registration No. 43,562Date: May 2, 2002GlaxoSmithKline  
Corporate Intellectual Property Department  
5 Moore Drive, P.O. Box 13398  
Research Triangle Park, NC 27709  
Telephone: (919) 483-2474  
Facsimile: (919) 483-7988Certification Under 37 CFR 1.8(a)

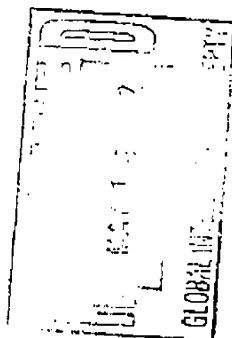
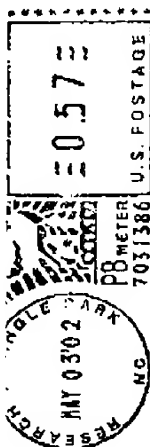
I certify that this correspondence is being deposited on May 2, 2002 with the U.S. Postal Service as FIRST CLASS MAIL (in accordance with 37 CFR 1.08(a)) in an envelope address to Commissioner for Patents, Washington, DC 20231.

  
Marjorie J. PfeifferDate of Signature: May 2, 2002

MAY. 22. 2002 12:35PM

GLAXO WELLCOME

NO. 4792 P. 5/5



Corporate Intellectual Prop.  
**MAI-B.475.4D**



GlaxoSmithKline

GlaxoSmithKline

Five Moore Drive

PO Box 13398

Research Triangle Park

North Carolina 27709-3398

[www.gsk.com](http://www.gsk.com)